

UNITED STATES DISTRICT COURT
for the

Eastern District of California

United States of America)	
v.)	
PHILLIP JACKSON)	Case No: 1:03CR05054-003
)	USM No: 61097-097
Date of Previous Judgment: 12/4/2003)	DAVID PORTER
(Use Date of Last Amended Judgment if Applicable))	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months **is reduced to** 120 months .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>31</u>	Amended Offense Level: <u>29</u>
Criminal History Category: <u>II</u>	Criminal History Category: <u>II</u>
Previous Guideline Range: <u>121</u> to <u>151</u> months	Amended Guideline Range: <u>120</u> to <u>121</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 12/4/2003 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10/20/2008

/s/ OLIVER W. WANGER

Judge's signature

Effective Date: _____
(if different from order date)

OLIVER W. WANGER, US DISTRICT JUDGE

Printed name and title